IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1976 of 2007

DEVENDRA SINGH
V/S
MUNICIPAL BOARD,PILIBANGA & ORS.

Mr. HS SIDHU, for the appellant / petitioner

Date of Order : 25.9.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The matter came up on 10.5.2007 on which date learned counsel for the petitioner contended that the learned trial court has dismissed the application by referring to certain material like affidavit of petitioner's father Jagjit Singh, application for preparation of ration card etc. while as a matter of fact all this material is not there on record.

In that view of the matter learned counsel was directed to apply for certified copy, and the learned trial court was directed to grant copies, and on 9.7.2007 it was informed orally by the learned counsel that since the copies are not being given, therefore, record was called. The record has been received, and I have perused the same,

and I find on record all the documents referred in the impugned order to be available on record. Faced with this situation learned counsel for the petitioner submitted that petitioner's grand father was Trilok Singh but as Anokh Singh and Trilok Singh were real brother, and therefore, Anokh Singh is described to be grand father. In my view, this is clearly an afterthought. There is nothing placed on record in this regard.

Since the order has been passed by the lerned trial court on the basis of material on record, and the plea sought to be added is exfacie contrary to record, and clearly appears to be an attempt to introduce material or fact on record which are contrary to record, I do not find any error in the impugned order.

The writ petition is, therefore, dismissed summarily. Record of the learned trial court be returned forthwith.

(N P GUPTA),J.

/sushil/